



July 30, 2021

VIA ECF

Honorable Jessica S. Allen, U.S.M.J.
U.S. District Court for the District of New Jersey
Martin Luther King Jr. Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: *Adapt Pharma Operations Limited et al v. Teva Pharmaceuticals USA, Inc. et al.*,
Civil Action No. 2:18-cv-05752-BRM-JSA**

Dear Judge Allen:

We, along with Williams & Connolly LLP, represent Plaintiffs in the above-referenced matter. With Walsh Pizzi O'Reilly Falanga LLP and Sterne, Kessler, Goldstein, & Fox, P.L.L.C., counsel for Defendants, we write further to Your Honor's July 15, 2021 Order (ECF No. 83) regarding the status of the above-referenced matter ("the 2 mg Naloxone Case").

One April 9, 2018, Plaintiffs filed the Complaint in the above-referenced matter alleging that Teva's proposed generic versions of Plaintiff's naloxone hydrochloride nasal spray, 2 mg/spray ("Teva's Proposed Product") infringed several patents owned by Plaintiffs. (ECF No. 1.) Teva filed an Answer and Counterclaims on June 8, 2018. (ECF No. 7.) On February 21, 2020, the parties exchanged initial disclosures and some document discovery has been exchanged.

On July 28, 2020, the Court entered an Order ("the Stay Order") staying the 2 mg Naloxone Case pending resolution of any appeal in Civil Action No. 16-7721 ("the 4 mg Naloxone Case"). (ECF No. 81.) The appeal of the 4 mg Naloxone Case is currently pending before the United States Court of Appeals for the Federal Circuit as *Adapt Pharma Operations v. Teva Pharmaceuticals USA, Inc.*, Case No. 20-2106 ("the 4 mg Naloxone Case Appeal"), with oral argument set for August 2, 2021. Per the Stay Order, the 2 mg Naloxone Case will remain stayed

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until 30 days after the issuance of a mandate in the 4 mg Naloxone Case Appeal. And, per the Stay Order, the parties will provide the Court with a joint status update no later than the day on which the stay expires. Therefore, at this time, the parties do not see a need to either lift or modify the Stay Order.

If the Court has anything further it would like to discuss with the parties, the parties will make themselves available at the Court's convenience. The parties thank the Court for its time and assistance in this matter.

Respectfully,

s/ Charles H. Chevalier
Charles H. Chevalier

cc: Counsel of Record (via ECF & email)